

JOHN M. BAKER.

MARCH 9, 1840.

Read, and laid upon the table.

Mr. EVERETT, of Vermont, from the Committee on Foreign Affairs, submitted the following

### REPORT:

*The Committee on Foreign Affairs, to whom the petition of John M. Baker was referred, submit the following report:*

The only claim of the petitioner on which any material testimony is produced, is for compensation for services appropriate to the office of chargé d'affaires, while consul at Rio Janeiro, from the 8th of April, 1834, to the 13th of January, 1835.

On the 8th of April, 1834, Ethan A. Brown, chargé d'affaires at Rio Janeiro, on his recall, placed the archives of his office in the custody of the petitioner, who, until the arrival of his successor, on the 13th of January, 1835, occasionally performed services appropriate to the office of chargé d'affaires; that, by the correspondence by him furnished, it appears that those services were not of great importance or extent. It appears, however, from a communication from the Department of State, that the petitioner, at the time of receiving the custody of the archives, was informed by Mr. Brown, by direction of the Secretary of State, "that, by being made their depository until the return of a successor, he was not to consider himself authorized to enter into diplomatic correspondence with the Government of Brazil, or to expect compensation as a diplomatic agent;" and it further appears that he has been paid \$265 54 for his expenses while charged with the keeping of the archives.

The committee report that the prayer of the petitioner ought not to be granted.

DEPARTMENT OF STATE,

Washington, January 23, 1840.

SIR: In answer to the inquiries in your letter of the 21st instant, I communicate extracts from the files of this department, showing that the allowance of compensation to Mr. Baker for diplomatic services was not contemplated; and that, for such expenses as he incurred in keeping the archives of our legation at Rio Janeiro, an account was, in May, 1838, presented at this department, and paid.

The papers are herewith returned.

I am, sir, respectfully, your obedient servant,

JOHN FORSYTH.

Hon. H. EVERETT,  
House of Representatives.

*Memorandum of payment to John Martin Baker, late consul at Rio de Janeiro, for expenses incurred while charged with keeping the archives of the legation to Brazil, paid May 31, 1838.*

For rent of two rooms for the safe deposit of the books, archives, and furniture of the legation at Brazil, from their reception from Mr. Brown to their delivery to Mr. Hunter	rees	338,888
Expenses paid on removing the archives from Mr. Brown's		8,900
Expenses paid on removing them to Mr. Hunter's	-	16,000
	Rees	<u>363,788</u>
At 1,370 rees to the dollar	-	\$265 54

[EXTRACT.]

*Mr. McLane, Secretary of State, to Mr. Brown, chargé d'affaires of the United States at Rio de Janeiro.*

DEPARTMENT OF STATE,  
Washington, December 19, 1833.

The seal, books, and archives of the legation, you may commit to the care of Mr. Baker, our consul at Rio de Janeiro; but you will tell him that, by being made their depository until the arrival of your successor, he must not consider himself authorized to enter into diplomatic correspondence with the Government of Brazil, or to expect compensation as a diplomatic agent.

*Mr. Brown to Mr. Baker.*

LEGATION OF THE UNITED STATES,  
Rio de Janeiro, April 8, 1834.

SIR: The letter of the Secretary of State, communicating the President's leave for me to close my mission to Brazil contains the following paragraph:

"The seal, books, and archives of the legation, you may commit to the care of Mr. Baker, our consul at Rio de Janeiro; but you will tell him that, by being made their depository until the arrival of your successor, he must not consider himself authorized to enter into diplomatic correspondence with the Government of Brazil, or to expect compensation as a diplomatic agent."

I deliver to your care, accordingly, the property of the United States in this legation, with a list of the particulars; requesting that, when you shall have verified the same, you will be pleased to sign triplicates of an inventory of those effects, of which one is to remain in the archives of the legation, and the other two to be transmitted to the Department of State.

I am, sir, very respectfully, your obedient servant,

ETHAN A. BROWN.

JOHN MARTIN BAKER, Esq.,

*Consul of the United States at Rio de Janeiro.*